

**VIRGINIA ROANOKE RIVER BASIN ADVISORY COMMITTEE MEETING MINUTES**  
**January 22, 2003**  
**General Assembly Building, Richmond, VA**

**Attendance:** (all VRRBAC members except Del. Byron, Del. Wright, Del. Hurt, Del. Thomas, Evelyn Janney, John Primiano, Ken Dugan, and Lee Eddy), DEQ: G. Anderson; DCR: Frances Geissler

**Call to Order:**

Chairman Feild called the meeting to order.

**Reimbursement Issue:**

Senator Hawkins addressed the members and indicated that he is going to try and find some way to at least reimburse members for mileage costs.

**Roanoke River Basin Bi-State Commission:**

The Governor appointed Haywood Hamlet and Watt Foster as citizen members. A 3<sup>rd</sup> member must still be appointed.

**December 16, 2002 meeting minutes:**

A motion was made to approve the minutes as drafted. The motion was seconded and passed.

**North Carolina Representation on the Committee:**

Richard Seekins was recognized as an interested party from North Carolina. He was informed that formal notification was needed if he was to be an official representative for the State.

**Discussion of Committee purpose and authority:**

Chairman Feild presented excerpts from the founding legislation to provide a sense of the Committee's authority and purpose.

**Establishment of Standing Sub-committees:**

- The general nature of the discussion was that the sub-committees should be made up of parties representing stakeholders throughout the basin. The membership should maintain a geographical and urban/rural balance. Preferably Committee members should chair and vice-chair these subcommittees. It is recognized that changes in stream characteristics such as flow regime in one area can have profound effects in the other localities. Also cooperation throughout the basin is essential to the interests of the entire basin.
- Senator Ruff suggested that the sub-committees be Agriculture/Forestry, River Interests, Lake Interests, Municipal Interests, and Water. Discussion ensued and it was recognized that there were many other areas of interest that could stand-alone or could be a component of the recommended titles. Examples include Inter-basin Transfer, Permit-holders, Re-licensing, Withdrawals, Pollution, Groundwater Mining, Salt water Intrusion, Industrial Interests, etc. A motion was made to have the Chair and Vice-chairs of the Committee to compose a draft of sub-committee structure and membership. The motion was seconded and passed. DEQ and DCR staff will assist as requested. Other Committee members are to send their ideas to John Feild, Charles Poindexter, and Mike McEvoy. The goal is to have a structure in place at the end of the next meeting. Possible lists of people who might participate include the Drought Task Force notification list and Dominion Re-licensing notification list.

**Establishment of Standing Sub-committees(continued)**

- The John H. Kerr 216 Study by the Army Corp of Engineers was a major topic of conversation during this agenda item. Apparently there is an advisory group of stakeholders already established for this study. The consensus of the group was that the Committee should be represented on this advisory group. It was believed that letters expressing this interest of being on the advisory group should be addressed to Col. Alexander of the ACOE and be sent from Representative Virgil Goode, Secretary of Natural Resources Tayloe Murphy, and the Committee. A motion was made that the Committee write a letter to Colonel Alexander expressing it's desire to serve on the advisory committee to the John H. Kerr 216 Study. The letter should also identify VRRBAC as a body established by legislation and provide information concerning the group's purpose. Representative Goode agreed to write a separate letter and staff agreed to ask Secretary Murphy to send a similar letter.
- Discussion then focused on who would represent the Committee on the 216 Advisory Group. Again it was believed that the Committee needed to send representatives that could speak for the various stakeholders throughout the basin. A motion was made that the Chairman and Vice-chairman of the Committee, John Feild, Charles Poindexter, and Mike McEvoy, should represent the VRRBAC on the John H. Kerr 216 Study Advisory Committee.
- The topic of Inter-basin transfers was an important topic of conversation. It was mentioned that North Carolina wanted to take more water from the Dan River, which could have impacts on the basin. Apparently Greensboro has interest in tapping the Roanoke Basin for water. The Triangle area is even further along and has hired a consultant to study a pipeline to the Roanoke Basin. It was stated that NC groups are opposed to this idea. There is increased interest in such a pipeline due to observed effects such as the aquifer east of I-95 in NC dropping significantly in the last 20 years, the salt wedge moving further up the basin, and some reservoirs nearly drying up. The overall consensus of VRRBAC is that the group must protect our water resources and growth potential. Tourism is very important at our lakes and we must protect it. Water resources are recognized as essential for the economic vitality of communities/stakeholders in the Roanoke River Basin. Bigger localities should not be allowed to pipe out Roanoke River water to the detriment of the people of the Roanoke River Basin. Reference was made to Virginia Beach and Mr. Seekins suggested Virginia Beach should perhaps be represented on this committee. He indicated they were very helpful during the drought. Robert Conner commended Virginia Beach for being a good neighbor, citing their providing money for hydrilla control, money for the Lake Gaston Association, and providing weekly withdrawal flow information.
- The idea of another impoundment below Leesville and above Kerr to increase water storage was broached. It was mentioned that it would be good if the 216 Study might identify areas where property owners would be in favor of an impoundment. Dialogue covered the importance of local support for such a project, avoidance of eminent domain, and environmental issues. It was suggested that such a project would open the door for environmental regulation and it would be important to negotiate with appropriate agencies rather than being subject to a prescriptive process. An impoundment would supply additional water and could enhance the fishery on the river. The recent drought limited the upstream extent of the spawn this year even though the numbers of fish were significant. It was noted that long range goals and planning for said impoundment should begin now. This conversation highlighted the urgency of obtaining a seat on the 216 Study Advisory Committee.
- There was a short discussion of riparian ownership laws regarding who owns the submerged surface. A review of Virginia law would be helpful.

**Review of pending legislation:** Proposed bills were handed out and scanned for discussion purposes. Members can do a more thorough review after the meeting.

HB 1451: This bill was discussed briefly. It appears to add mileage to the existing designation. Some thought this had already been accomplished. The committee asked DEQ and DCR staff to provide a briefing on the existing Scenic River Legislation and in particular provide a list of restrictions associated with the regulation. Also there is interest in knowing if there is any connection between the State regulation and Federal regulation. A motion was made that the Committee would defer any action on this bill until getting the briefing from DEQ and DCR staff. The motion was seconded and passed.

SB1221 and SB 1245: These appear to be 2 competing bills related to water supply planning in the State. SB1221 apparently follows recommendations of a Technical Advisory Committee report and provides for local input. SB1245 appears to solely give control of the planning process to DEQ and has an extremely tight timetable for plan development. The Committee is concerned that both bills seem to be open to Inter-basin transfer. VRRBAC is opposed to Inter-basin transfer, especially if there is detriment to the basin. VRRBAC also recognizes the economic and recreational importance of the basin lakes. Any project that would disrupt the recreational uses of the lakes would have considerable impact on the local economy. The same could be said for the agriculture community. The Committee recognizes that North Carolina policy could also impact the Virginia Roanoke Basin. A motion was made that a letter should go out signed by the Chair and Vice-chairs stating the views of the Committee. VRRBAC is in favor of the development of a Statewide Water Policy, but only one that mandates local stakeholder input and is against the inter-basin transfer of water that is of detriment to the people of the basin. The motion was seconded and passed. Charles Poindexter and Robert Conner will draft a letter for the Committee's consideration.

HB1970 and HB 1627: Appear to be identical bills. It is interesting that the extension to the Scenic River designation for the Staunton River is also listed in this bill. The Committee is concerned that local authority and input is not a component of the bills. An "ad hoc" committee composed of Haywood Hamlet, Charlton Read, and Watt Foster will draft a letter objecting to the provisions of the bill because of the apparent lack of local stakeholder input to the decision process of Scenic Rivers.

**Next Meeting Date:** February 26 in Clarksville or at the John H. Kerr dam at 10:00 am. Chairman John Feild is to secure a location for the meeting.

The group also tentatively selected the 4<sup>th</sup> Wednesday of the month for future meetings.

**Other Discussion:**

There was conversation concerning Roanoke River Alliance and their asking Congressman Goode to ask USGS to study the inflows into the Roanoke Basin. The group meets every other month and is involved with the AEP FERC re-licensing for Smith Mountain and Leesville Lakes. AEP is conducting a bottom up approach that is getting all stakeholders involved, to work out any issues associated with the re-issuance. As a part of this a Shoreline Management sub-committee is developing a Shoreline Management plan. This plan is looking at local land use issues. Specifically there appear to be some proposed restrictions on location of different types of housing and even building docks. These proposed restrictions might be in conflict with local government control of land use and probably State Code.